

**Notice of Allowability**

Application No.

10/063,900

Examiner

Octavia Davis

Applicant(s)

CLARK ET AL

Art Unit

2855

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed 10/1/04.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☒ The drawings filed on 5/22/02 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 1, line 2, after "with" inserted -- a centerline --.

Claim 1, line 3, inserted -- height (h) and -- before "an inlet" and inserted -- having a diameter (D) -- after "an inlet".

Claim 1, line 6, after "tarmac" inserted -- , said object having a height (w) ranging --.

Claim 1, line 7, inserted -- between approximately  $(2h-D)/8$  and  $(2h-D)/4$ ; --.

Claim 8, line 2, after "with" inserted -- a centerline --.

Claim 8, line 3, inserted -- height (h) and -- before "an inlet" and inserted -- having a diameter (D) -- after "an inlet".

Claim 8, line 8, after "surface", inserted -- with a height (w) ranging between --.

Claim 8, line 9, inserted -- approximately  $(2h-D)/8$  and  $(2h-D)/4$ ; --.

Claim 12, line 2, inserted -- said engine having a centerline --.

Claim 12, line 3, inserted -- height (h) and an inlet with a diameter (D), --.

Claim 12, line 5, inserted --, said object having a height (w) ranging between approximately  $(2h-D)/8$  and  $(2h-D)/4$ ; --.

Claim 12, line 7, after "EPR;" inserted -- to inhibit vortex formation --.

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Claim 17, line 3, after “stand”, inserted -- said engine having a centerline height (h) and an inlet --.

Claim 17, line 4, inserted -- with a diameter (D) -- and after “object” inserted -- with a height --.

Claim 17, line 5, inserted -- ranging between approximately  $(2h-D)/8$  and  $(2h-D)/4$  --.

Claim 17, line 6, deleted “.”, inserted -- and to inhibit vortex formation --.

Claim 18, line 2, inserted -- said engine having a centerline height (h) and said inlet having a diameter (D), --.

Claim 18, line 6, inserted -- and having a height ranging between approximately  $(2h-D)/8$  and  $(2h-D)/4$ ; --.

### *Allowable Subject Matter*

2. Claims 1 – 22 are allowed.

The following is an examiner’s statement of reasons for allowance: The primary reasons for allowance is that there cannot be ascertained prior art that anticipates or makes obvious the provisions of “providing an aircraft on a tarmac, placing an object between an inlet and said tarmac, said object having a height (w) ranging between approximately  $(2h-D)/8$  and  $(2h-D)/4$ ”, wherein airflow travels around, along and near said object to inhibit formation of a vortex, in combination with the other limitations presented in claims 1, 8, 12, 17, 18 and 21.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”


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*Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Octavia Davis whose telephone number is 571.272.2176. The examiner can normally be reached on Maxiflex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



OD/2855

9/30/04



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